

## A. STATE-AT-A-GLANCE

|  |   |
|--|---|
| 1) Program Operation   |   |
| 2) Number of Local Offices<br>(excluding Agencies under<br>Cooperative Agreements) |   |
| 3) Type of Agencies with<br>Cooperative Agreements                                 | Yes, effective January 1, 1997                                  |
| 4) Uniform Interstate Family<br>Support Act  |   |
| 5) Agreements With Tribal Entities   |   |
| 6) Age of Majority for Termination<br>of Support                                   |   |
| 7) Statutes of Limitation:   |   |
| • Collection of Past Due Support   |   |
| • Paternity Establishment  |   |
| Dormancy Revival/Renewal<br>Possible [yes/no]                                      |   |
| 8) Guidelines  |   |
| 9) Interest Rates on   |   |
| • Missed Payments  | No  |
| • Retroactive Support  | No  |
| • Adjudicated Arrearage  | Yes, if ordered by the Court                                    |
| 10) Arrearage Collections for Non-<br>minor Child(ren)                             |   |
| 11) Distribution Scheme  | Arrears owed on or after July 1, 1992 to custodial parent first |
| • AFDC Arrears   |   |
| • Non-AFDC Arrears   | To individual if accrued on or after July 1, 1992               |
| 12) Procedures Regarding Medical<br>Support Using Income                           |   |

| <b>Withholding</b>  |  |
|---|--|
| <b>13) New Hire Reporting</b>                                       | No   |
| <b>14) Recovery of Costs Elected Under State Plan</b>               | No, except for paternity                             |
| <b>15) Recovery of Costs for Initiating State</b>                   |  |
| <b>16) Long-Arm Statute/s Citation/s</b>                            |  |
| <b>17) Automated Locate Resources</b>                               |  |
| <b>18) Enforcement Options</b>                                      |  |
| • <b>State Income Tax Refund Intercept</b>                          | Yes  |
| • <b>License Revocation/ Suspension</b>                             | Yes, Drivers, Professional & Occupational            |
| • <b>Administrative Liens</b>                                       | No   |
| • <b>Property Seizure &amp; Sale</b>                                | Yes  |
| • <b>State Funds/Benefits (please specify)</b>                      | No   |
| • <b>Other (please specify)</b>                                     |  |
| <b>19) Spousal Maintenance Orders</b><br><i>(specify yes or no)</i> |  |
| • <b>Establish</b>  | No   |
| • <b>Enforce</b>  | Yes, only if in conjunction with child support order |
| • <b>Modify</b>   | No   |
| <b>20) Current Spouse/Partner Information Required</b>              | No   |

## **B. UNIFORM INTERSTATE FAMILY SUPPORT ACT**

|                               |                 |
|-------------------------------|-----------------|
| <b>1) State Code Citation</b> | IC 31-1.5       |
| <b>2) Effective Date</b>      | January 1, 1997 |

|  |  |
|--|--|
| 3) <b>Adopted Verbatim? If no, list differences.</b> | Substantially: technical changes to conform with fact that original orders are issued in Indiana only by courts, not by administrative process |
| 4) <b>Repeal URESA?</b>                              | Yes  |
| 5) <b>Repeal IWW?</b>                                | No   |

## C. INCOME WITHHOLDING

|   |   |
|---|---|
| 1) <b>Income Withholding Terminology</b>  |   |
| 2) <b>Income Withholding Procedures</b>   |   |
| • <b>State Withholding Limits</b>   | Same as federal   |
| • <b>Fee Charged by Employers</b>   |   |
| • <b>Date to Remit</b>  | Same time that obligor is paid                                |
| • <b>Penalty</b>  | Liability for amount income payor failed to forward           |
| 3) <b>Definition of Employer</b>  | An employer or other person who owes income to an obligor     |
| 4) <b>Included Income</b>   |   |
| 5) <b>Excluded Income</b>   | AFDC and other federal exempt payments                        |
| 6) <b>Direct Income Withholding for Unemployment Compensation, include address</b>    | No  |
| 7) <b>Direct Income for Workers' Compensation, include address</b>                    | No  |
| 8) <b>Direct Income Withholding, other income sources subject to, include address</b> | None  |
| 9) <b>Direct Income Withholding, list Other Income Sources NOT subject to</b>         | All   |
| 10) <b>Federal Withholding (See Federal Pay Agents Section)</b>                       | IV-D Directors need not answer this question.                 |
| 11) <b>Procedures for Contesting Income Withholding</b>                               | 1. Administrative - hearing available<br>2. Judicial - appeal |
| 12) <b>Arrearages through Income Withholding</b>                                      | Yes   |

|  |  |
|--|--|
| <b>13) Enforcing Against Non-Resident Obligor Asset/Income</b> |  |
| <b>14) Exception to Immediate Withholding</b>                  | Good cause   |
| <b>15) Multiple Obligations Withholding Priorities</b>         |  |
| • <b>Policy</b>  | All existing income withholding orders are enforceable |
| • <b>Priority</b>  | Current support  |
| • <b>Assistance</b>  | Child Support Bureau<br>(317) 232-4877                 |
| • <b>Allocation</b>  | Pro rata   |

## D. PATERNITY

|  |   |
|--|---|
| <b>1) Interstate Paternity Procedures</b>  | Petition filed. If no admission, blood tests ordered, if necessary.<br>Trial held |
| <b>Consent Orders Obtained</b>   | Agreed entry may be filed   |
| <b>2) Uniform Parentage Act</b>  |   |
| <b>3) Uniform Act on Blood Testing</b>   |   |
| <b>4) Parentage Order Available Without Order for Support</b>                          | Yes   |
| <b>5) Custody/Visitation Addressed Subject to Tribunal's Jurisdiction</b>              | Yes   |
| <b>6) Genetic Test Results as Presumption of Paternity</b>                             | Yes   |
| <b>Threshold</b>   | 99%   |
| <b>7) Paternity Acknowledgment as Presumption of Paternity (Rebuttable/Conclusive)</b> | Rebuttable  |
| <b>8) Marriage as Presumption of Paternity</b>   |   |
| <b>9) Putative Father's Name on Birth Certificate, Effect of</b>                       |   |
| <b>10) Other Statutory Presumptions</b>  | When putative father holds child out as his child                                 |

|     |  |  |
|-----|--|--|
| 11) | <b>Recognition of Common Law Marriage</b>                          |  |
| 12) | <b>Personal Appearance of Witness or Custodial Parent Required</b> | Technically No. If a trial is held, there may be a practical problem |
|     | <b>Acceptable Methods of Testimony</b>                             | Deposition   |
| 13) | <b>Long-Arm Statute</b>  | Indiana Trial Rule 4.4   |
| 14) | <b>Assistance to Other States Using Their Long-Arm Statutes</b>    |  |
|     | • <b>Service of Process</b>  | Yes, no formal procedure   |
|     | • <b>Genetic Testing</b>   | Yes  |
| 15) | <b>Recovery of Genetic Testing Costs for Other States</b>          | Yes  |

## E. SUPPORT ORDER ESTABLISHMENT

|    |  |                                   |
|----|--|-----------------------------------|
| 1) | <b>Interstate Procedures</b>                 |                                   |
| 2) | <b>Income Considered for Setting Support</b> |                                   |
| 3) | <b>Criteria for Rebuttal</b>                 |                                   |
| 4) | <b>Support Order for Prior Periods</b>       | May only do so in paternity cases |

## F. ENFORCEMENT

(Note: If multiple orders, see Part “G”)

### I. ENFORCING YOUR OWN ORDER

|    |   |   |
|----|---|---|
| 1) | <b>Enforcement for Non-Resident Family</b>                          | Income withholding if employer known or rule to show cause in county where order issued       |
| 2) | <b>Administrative Procedures and Remedies Available</b>             | Income withholding, driver and professional/occupational license suspension, state tax offset |
| 3) | <b>Judicial Procedures and Remedies Available with Registration</b> | Yes - all statutory enforcement remedies currently available under state support laws         |

### II. ENFORCING OTHER STATES’ ORDERS

|   |   |
|---|---|
| 4) <b>Administrative Procedures and Remedies Available Without Registration</b> | Interstate income withholding, state tax offset           |
| 5) <b>Judicial/Administrative Remedies with Registration</b>                    | Same as available for enforcement of Indiana issued order |
| 6) <b>UIFSA/URESA Registration and Enforcement Procedure</b>                    | URESA until 12-31-96; UIFSA beginning 1-1-97              |
| 7) <b>Judicial Procedures Required after Registration</b>                       | Register with Clerk of Court where obligor located        |
| 8) <b>Uniform Enforcement of Foreign Judgments Act Citation</b>                 | N/A   |

## **G. MODIFICATION/REVIEW & ADJUSTMENT OF ORDERS**

|  |  |
|--|--|
| 1) <b>Jurisdiction Requirements</b>                  | URESA until 12-31-96                                       |
| 2) <b>Modification Procedures</b>                    |  |
| 3) <b>Criteria for Modification</b>                  |  |
| 4) <b>Criteria for Change of Circumstances</b>       |  |
| 5) <b>Frequency With Which Reviews are Conducted</b> |  |
| 6) <b>Criteria for Review</b>                        | Substantial change in circumstances                        |
| 7) <b>Criteria for Adjustment</b>                    | Per guidelines, a change of 20% or more from current order |

## **H. MULTIPLE ORDERS**

### **ENFORCEMENT AND MODIFICATION**

|                                     |  |
|-------------------------------------|--|
| 1) <b>Controlling Order</b>         | N/A  |
| 2) <b>Date of Controlling Order</b> | Date of order  |
| 3) <b>If No Controlling Order</b>   | Yes  |
| 4) <b>Arrears Procedure</b>         | Determine controlling order(s) and calculate arrearage |

## I. Documentation Required to Initiate Requests

| ACTION REQUESTED                                      | DOCUMENTS NEEDED  | # of Copies of each document | Certification required for each document<br><br>*See below |
|---|---|------------------------------|--|
| Establishment of Paternity and Support                | Complete URESA packet: general testimony, uniform support petition, paternity affidavit   | 3                            | A  |
| Enforcement of Responding State's Order               | URESА transmittal, court order, testimony/affidavit   | 3                            | A  |
| Modification of Responding States' Orders             | Child support enforcement transmittal and general testimony   | 3                            | A  |
| Administrative Enforcement of Another States' Order   | (For interstate income withholding) Child support enforcement transmittal, court order, payment record, and calculated worksheet  | 1                            | B  |
| Registration for Enforcement of Another States' Order | URESА transmittal, certificate and court order, uniform support petition, testimony/affidavit   | 3                            | A  |
| Collection of Arrearages in Multiple Orders           | URESА transmittal, certificate and court order, uniform support petition, testimony/affidavit. If employer known, same documentation as noted above for interstate income withholding | 3/1                          | A/B  |

| <b>ACTION REQUESTED</b>                      | <b>DOCUMENTS NEEDED</b>  | <b># of<br/>Copies<br/>of<br/>each<br/>docu-<br/>ment</b> | <b>Certifi-<br/>cation<br/>required<br/>for each<br/>docu-<br/>ment<br/><br/>*See<br/>below</b> |
|--|--|---|---|
|  |  |   |   |
| Uniform Enforcement of Foreign Judgments Act | N/A  |   |   |
| Modification of Another State's Order        | Indiana law does not provide for modification of another state's order |   |   |
| Status Update on an Existing Interstate Case | Status request to responding county                                    |   |   |
| Assistance/Discovery                         | Dependent upon type of assistance needed                               |   |   |
| Quick Locate                                 | PLS "quick locate request"   | 1   | N/A   |

*\*A= Notarization by Notary Public; B= Certification by signature of agency official;  
C= Certification by signature of court official; D= Others (please specify);  
E= Certification not required*



## J. State Contact Chart

| ASSISTANCE NEEDED   | CONTACT<br><br>Name, Title, Address, Phone, Fax, E-mail (include 800 if applicable)   |
|---|---|
| State Information Agent   | <p>Suzan Clair, Supervisor</p> <p>WhIP Unit</p> <p>Child Support Bureau</p> <p>402 West Washington, Room W360</p> <p>Indianapolis, Indiana 46204</p> <p>(317) 232-3447 , FAX (317) 233-4925</p> |
| Central Registry  | <p>Suzan Clair, Supervisor</p> <p>WhIP Unit</p> <p>Child Support Bureau</p> <p>402 West Washington, Rom W360</p> <p>Indianapolis, Indiana 46204</p> <p>(317) 232-3447, FAX (317) 233-4925</p>   |
| Interstate Policy Contact (if different)                                    | Same as above   |
| Contact for Information Regarding Your States Long Arm Statute and Process  | <p>Legal Unit</p> <p>Child Support Bureau</p> <p>402 West Washington, Room W360</p> <p>Indianapolis, Indiana 46204</p> <p>(317) 232-4877</p>  |
| Contact for Information Regarding Collection and Distribution (State level) | <p>Supervisor, Collections Unit</p> <p>Child Support Bureau</p> <p>402 West Washington, Room W360</p> <p>Indianapolis, Indiana 46204</p> <p>(317) 232-4893</p>                                  |

|   |  |
|---|--|
| Contact to Obtain Payment Records   | County Clerk of Court  |
| Contact to Obtain Copy of Order   | County Clerk of Court  |
| Contact for States Using Their Long Arm Statutes or Continuing Exclusive Jurisdiction (no “case” in your State) for       | County Prosecuting Attorney in jurisdiction where obligor located  |
| <ul style="list-style-type: none"> <li>Service of Process<br/>(private process server? If so , list)</li> </ul>           | N/A  |
| <ul style="list-style-type: none"> <li>Genetic Testing<br/>( e.g. assistance with interstate teleconferencing)</li> </ul> | <p>Thelzeda Moore, Program Specialist</p> <p>Child Support Bureau</p> <p>402 West Washington, Room W360</p> <p>Indianapolis, Indiana 46204</p> <p>(317) 232-4874</p> |
| New Hire Reporting Contact  | N/A  |
| Employer Assistance Contact   | <p>PLS Supervisor</p> <p>Child Support Bureau</p> <p>402 West Washington, Room W360</p> <p>Indianapolis, Indiana 46204</p> <p>(317) 232-4936</p>                     |
| <p>Telephone Number for Automated Interstate Case <i>Status</i> Requests</p> <p>(if any)</p>                              | N/A  |
| <p>Telephone Number for Automated Interstate Case <i>Payment</i> Requests</p> <p>(if any)</p>                             | N/A  |
| Privatization Contact   | N/A  |

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